



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES November 19, 2018

Call to Order 7:00 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present

Absent

Supervisor J. Conway
Councilor T. Tierney
Councilor H. Kennedy
Councilor R. Matters
Councilor G. Warner

Communications/Announcements/Reports

The Town Clerk stated that the following departments have handed in their reports and they are on file in the Town Clerk's Office: Town Clerk, Police Department and the Receiver of Taxes.

Supervisor Conway announced that he wanted to start this meeting with a dedication to Pete Stenson. He went on to explain that Pete was a fixture at our Board Meetings for quite a few years. He passed away suddenly and we did not get to say good bye or thank you. Pete had worked for the Town previously as a Planning Board member, comptroller for a short time, and was on our Finance Committee. He stated that he was always a gentleman and asked for a moment of silence in his memory.

Councilor Tierney thanked The National Resource Workshop group for their presentation on November 1st at the Library. She also thanked Adam, the Town Planner for his work as well. Councilor Tierney stated that people should look at those maps on line if they get a chance because they are fabulous. The committee is still looking for community input, so if anyone gets a chance and wants to leave a comment please feel free to do so.

Councilor Tierney went on to discuss the businesses that have added updates on Columbia Turnpike and thanked them for investing in our community. Some mentioned were

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Noppers, Hoffman Car Wash, Paesans, Hannaford, Fuccilo Ford, and that the Old K-mart has been recommissioned. Councilor Tierney also welcomed the Masala House in the Peter Harris Plaza to Town.

Councilor Tierney also explained that she was very excited to announce that the Town of East Greenbush received two Bridge NY Grants. One was for a replacement of a large culvert on Manix Rd, and the other was for a narrow culvert on Mourner Rd. The total amount is just over 1 million dollars and there is no local match required.

Councilor Kennedy thanked the Department of Public Works employees for Plowing and sanding and all of the leaf pick up they have done.

Councilor Matters: stated that he attended the Best Luther Fire Department Installation Dinner. It was well attended and a nice reminder of what they do for everyone. He also stated that he wanted to welcome in the Holidays and to have a nice Thanks Giving.

Councilor Warner stated that he had no comment at this time.

Open Public Privilege: NOTE – Each speaker may choose to state name and address prior to addressing the Board and shall be granted the floor for up to five minutes. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the decision making process. All speakers must conduct themselves in a civil manner. Personal attacks will not be tolerated.

Rich K explained that the owner of a commercial property at 34 Sherwood Ave tapped **into the** Waste Water System without a permit, and they have expanded their parking lot. HE went on to explain all of the flooding and problems it caused with his property and his neighbors. He explained that he wanted to make the Board aware of the situation and hope that they **would be** advocates for him and his neighbor, and the promised culvert that they were told would be put in. He went on to further discuss his distress.

Nancy G. Explained that she is the neighbor on Sherwood Ave having the same Problem. She explained that she is inundated with water, showed pictures of her property and explained all of the damage she has endured. She went on to further discuss her distress.

Kathy K stated that she is Rich's wife and that they have suffered because of this problem with flooding. She showed pictures of her property and of the damage and explained that they flood with very small amounts of rainfall. She was told that the business was not supposed to increase their parking and they have done so. They plow right up to her fence line and push the gravel onto their property. She went on to further discuss her distress.

Supervisor Conway stated that he empathizes with their situation. He explained that it is the Thai Business on Sherwood Ave. He explained that they were issued a stop work order, an issue of remedy summons, and a fine. HE went on to further discuss this matter with the residents.

Joan C stated that she was representing a group from Middlesex Rd. and Pheasant Lane. She thanked the Town Board for their support in the Birchwood Manor Complex. She stated that the Town Board Members are roll models and she enjoys the warmth from the employees in Town Hall. She went on to explain the history that this neighborhood has had to endure. She explained that there is a terrible S turn on their rd. and that they need to do something to protect their neighborhood. She would like to see stop signs and no thru traffic signs on the road, and for the town to lessen the speed limit. She went on to discuss this situation further.

Patty questioned when they will get drainage of 9 and 20 at the end of Eckman. She stated that they get flooded in the summer. She explained that the drainage was supposed to be fixed, but because one house has a shed 6 inches over the property line it did not happen. She went on to further discuss her issue on this matter.

Supervisor Conway addressed these concerns and a discussion ensued.

Resolutions and Proposals by Town Board Members:

213-2018 A Resolution to Approve Meeting Minutes

WHEREAS, the minutes of Town Board meetings, as provided in §106 of Article 7 of the New York Public Officers Law, shall be approved by the Board prior to them being finalized, deemed official and disseminated to the public by the Town Clerk; and

WHEREAS, that the minutes of the regular Town Board Meeting held on October 17, 2018 have been presented; and

WHEREAS, the Town Board has reviewed these minutes and any necessary corrections have been made;

now, therefore, be it

RESOLVED, that the minutes of the regular Town Board Meeting held on October 17, 2018 are hereby approved as submitted.

Councilor Matters made the motion to table the following resolution per the Town Clerks request and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

214-2018 A Resolution Remembering and Honoring Peter Stenson for His Service and Contributions to the Town of East Greenbush

WHEREAS, the Town Board and the broader community lost a valued member and leader on October 20, 2018, with the sudden passing of Peter Stenson; and

WHEREAS, Pete Stenson was a tireless advocate for transparent and accountable government who regularly reported on Town business in reports to the Advertiser; and

WHEREAS, Pete promoted civility and professionalism in the political discourse of our Town and lived the wisdom of his advice; and

WHEREAS, he served the Town as a member of the Finance Committee and the Planning Board, and also served as Town Comptroller; and

WHEREAS, it is fitting and proper that the Town Board and staff celebrate Mr. Stenson's life and public service, and thank Pete for his accomplishments and contributions to the East Greenbush community;

now, therefore, be it

RESOLVED, Peter Stenson is remembered for his service and dedication to the town and residents of East Greenbush and his performance and accomplishments for our Town Government;

and be it further

RESOLVED, that the Town Board extends our deepest sympathy to Pete's family and friends.

The foregoing resolution was duly moved by Councilor Kennedy and seconded by Councilor Tierney and brought to a vote resulting as follows:

Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

215-2018 A Resolution Approving the Adoption of the Annual Budget for Fiscal Year 2019

WHEREAS, pursuant to New York Town Law § 106, subd. 2, the East Greenbush Town Supervisor duly filed a Tentative Budget and budget message in the Office of the Town Clerk on September 28, 2018 (referred to hereinafter as the "Tentative Budget"); and

WHEREAS, the Tentative Budget provided for no increase in the Town's Real Property Tax Levy for fiscal year 2018; and

WHEREAS, pursuant to New York Town Law § 106, subd. 4, the East Greenbush Town Board, at a special meeting held on October 17, 2018 duly approved a preliminary budget which was filed in the office of the Town Clerk on October 18, 2018 (referred to hereinafter as the "Preliminary Budget"); and

WHEREAS, pursuant to New York Town Law § 108, the East Greenbush Town Board duly conducted a public hearing on November 8, 2018 on the Preliminary Budget; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town's finances because appropriations are matched to revenue & fund balance appropriations;

now, therefore, be it

RESOLVED, that, pursuant to New York Town Law § 109, subd. 1, the Preliminary Budget be, and the same hereby is, duly adopted as the Annual Budget for fiscal year 2019 (referred to hereinafter as the “Adopted Budget”);

and be it further

RESOLVED, that the Town Clerk shall cause a copy of the Adopted Budget to be duly filed in her office, forthwith, following receipt thereof from the Comptroller;

and be it further

RESOLVED, that, pursuant to New York Town Law § 109, subd. 3, the Supervisor, Director of Finance, Comptroller, Receiver of Taxes, and Assessor take all respective action required and/or appropriate relative to the implementation of the Adopted Budget.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

216-2018 A Resolution to Authorize the Refund of the Filing Fee for the Small Claims Assessment Hearing

WHEREAS, Section 730 of the New York State Real Property Tax Law authorizes the Small Claims Assessment Hearing Officers to award to the petitioner, the cost of the filing fee that was paid to the County of Rensselaer; and

WHEREAS, the Small Claims Assessment Hearing Officer may make awards not exceeding \$30.00 (THIRTY DOLLARS AND NO CENTS); and

WHEREAS, the Comptroller is directed to issue the refund in the amount of \$30.00 to the following persons appearing below; and

WHEREAS, the Town Comptroller has confirmed that this resolution can be funded by account 1355.401.04 Assessor CE;

now, therefore, be it

RESOLVED that the Town of East Greenbush will refund to the following Petitioner’s not exceeding \$30.00;

- Nicholas & Cathy Bruno, 569 Miller Rd., East Greenbush, NY 12061
- Christopher & Elizabeth Farrell, 19 Woods Edge Ln., West Sand Lake, NY 12196
- Raymond & Laura Yelle, 50 Capital Pl., Rensselaer, NY 12144
- Andrew Gladwin, Jr., 5 Johnny Circle, East Greenbush, NY 12061
- Mary V. Herbst., 8 Willow Ln., Rensselaer, NY 12144
- Thomas L. & Mary Jane Bova, 38 Celeste Dr., Rensselaer, NY 12144
- Barbara Cavallo. 43 Malibu Hill, Rensselaer, NY 12144
- Paul & Christina Mulligan, 1 Rosebud Ct., Rensselaer, NY 12144

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

217-2018 A Resolution Authorizing Replacement of the Carbon Filter at the Waste Water Treatment Plant

WHEREAS, reducing the objectionable odor at the Town of East Greenbush Waste Water Treatment Plant is a high priority of the Department of Public Works; and

WHEREAS, the manufacturer’s recommendation for the interval that the carbon in the air filtration system at the Waste Water Treatment Plant should be changed is once per year; and

WHEREAS, the carbon contained in the air filtration system at the Waste Water Treatment Plant has not been changed in at least three years; and

WHEREAS, replacement of the non-washable carbon with a washable carbon, while initially more costly will result in a greatly reduced annual operating cost; and

WHEREAS, in accordance with the Town of East Greenbush Purchasing Policy three quotes were solicited, with the lowest responsible quote being from DOer Products and Services, Inc. in the amount of \$22,550.00 for installing washable carbon with the necessary modifications to our existing carbon absorber system; and

WHEREAS, that the Town of East Greenbush Purchasing Policy requires that purchases of \$10,000 or more require approval by the Town Board; and

WHEREAS, the Town Comptroller has confirmed that the financial impact of this resolution is \$22,550.00 from the Sewer Funds charge code 81304. 07/8/9/10.004 offset by uses of fund balances;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to contract with DOer Products and Services to install washable carbon in the existing air filtration system in an amount not to exceed \$22,550.00.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Warner and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

218-2018 A Resolution Authorizing the Director of Finance to Solicit Bids for a New Sports Utility (4WD/AWD) Vehicle for the Building Department

WHEREAS, the Building Department currently utilizes a 2004 Jeep Liberty for transportation of manpower, tools, and supplies to conduct site visits and inspections within the Town of East Greenbush; and

WHEREAS, this Jeep has over 85,000 miles on it and requires repairs to the engine and to the transmission that will cost in excess of \$8,000.00 not including needed repairs to the rust on the truck body; and

WHEREAS, it is no longer economically feasible to repair the Jeep Liberty; and

WHEREAS, it appears more economical to purchase a Sports Utility Vehicle (4WD/AWD) with a five-year warranty from OGS mini bid than to maintain the current vehicle or purchase a used vehicle; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town finances;

now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Finance to solicit bids utilizing the OGS mini-bid system to obtain pricing on a new Sports Utility Vehicle for the Building Department.

The foregoing resolution was duly moved by Councilor Tierney and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

219-2018 A Resolution Appointing Linda Natale to the Position of Part-Time Clerk in the Receiver of Taxes Offices

WHEREAS, the Receiver of Taxes Office has a variable schedule in which some months are extremely busy while others are not and there is occasionally a need for help during the busier months; and

WHEREAS, the busiest months in the Receiver of Taxes Office include the months of December, January and February; and

WHEREAS, Linda Natale has the experience and qualifications to assist with the work of the office; and

WHEREAS, the Town Comptroller confirms that this appointment will not have a material impact on the Town's finances;

now, therefore, be it

RESOLVED, that Linda Natale is hereby appointed to the position of Part-Time Clerk in the Receiver of Taxes Offices for a salary rate of \$16.00 per hour. This appointment is effective retroactively to November 16, 2018.

The foregoing resolution was duly moved by Councilor Kennedy and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor H. Kennedy	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES

220-2018 A Resolution to Schedule a Public Hearing for the Adoption of the Town's 2018 Stormwater Management Program (SWMP) Plan Update

WHEREAS, the Town of East Greenbush is subject to Municipal Separate Storm Sewer System (MS4) Phase II requirements of SPDES General Permit GP-0-15-003 stormwater management requirements of the National Pollutant Discharge Elimination System (NPDES), for the development and adoption stormwater management program (SWMP) plan; and

WHEREAS, the Town has updated the SWMP Plan in accordance with State and Federal requirements and as stipulated by the US Environmental Protection Agency (EPA) in its information request and administrative compliance order dated June 5, 2018 ("June 5, 2018 Order"); and

WHEREAS, the EPA approved the 2018 SWMP Plan Update on November 2, 2018, in partial fulfillment of the requirements of the June 5, 2018 Order; and

WHEREAS, the Town Board desires that a Public Hearing be held for further review and consideration of the updated SWMP plan; and

WHEREAS, a copy of the updated SWMP Plan will be on file for review at the Town Clerk's Office and the East Greenbush web site; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, hold a Public Hearing at the Town Hall, 225 Columbia Turnpike, East Greenbush, New York on the 12th day of December at 5:45 PM to consider adoption of the Town's 2018 Stormwater Management Program (SWMP) Plan Update to fulfill certain requirements of the Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4), GP-0-15-003.

The foregoing resolution was duly moved by Councilor Tierney and seconded by Supervisor Conway and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

221-2018 A Resolution Setting a Public Hearing Date to Accept Public Comment on a Proposed Local Law Amending Certain Provisions of Local Law No. 1 of 2010 Relating to Assessment and Collection of Land Development Mitigation Fees in Connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS)

WHEREAS, Local Law No. 1 of 2010 of the Town of East Greenbush sets forth certain requirements relating to assessment and collection of land development mitigation fees in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS); and

WHEREAS, the Town Board wishes to update the law in order to address certain terminological inconsistencies; typographic errors; unnecessary external references; to further define important terms; to update the land development mitigation fee payment schedule in response to feedback from the land development community; and to generally address issues arising from experience implementing the provisions of the local law; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board shall accept public comment on a local law to update the GEIS local law, at a meeting to be held at the East Greenbush Town Hall, 225 Columbia Turnpike, Rensselaer, NY 12144, on December 12, 2018 at 6:00 pm.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

222-2018 A Resolution to Assume Lead Agency Status For Environmental Review of Building Expansion (PB File # 12-11P & ZBA File #2018-10) of Regeneron's Building 85 on the Discovery Drive Campus

WHEREAS, Regeneron Pharmaceuticals, Inc. has submitted an application to the Town for site plan approval along with a full environmental assessment form ("FEAF") for a proposed expansion of Building 85 at Regeneron's Discovery Drive campus; and

WHEREAS, the Town Board of the Town of East Greenbush, upon reviewing the application and FEAF, determined that the proposed action would constitute a Type I action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Town Board wishes to serve as lead agency under SEQRA for the coordinated environmental review of the proposed action; and

WHEREAS, the Town Board notified all involved and interested agencies under SEQRA that it sought SEQRA lead agency status for review of the action, and all involved agencies concurred with the Town Board serving as lead agency; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board shall serve as SEQRA lead agency for the review of the proposed expansion of Building 85 at Regeneron's Discovery Drive campus.

The foregoing resolution was duly moved by Councilor Matters and seconded by Councilor Warner and brought to a vote resulting as follows:

Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES

223-2018 A Resolution to Approve Site Plan (PB File # 12-11P & ZBA File #2018-10)

WHEREAS, Regeneron Pharmaceuticals, Inc. has submitted to the Town an application for major site plan approval for the expansion of Building 85 at Regeneron's Discovery Drive Campus (SBL 155.00-1-4.21); and

WHEREAS, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan prepared by Hart Engineering and HCP Architects, LLP dated July 10, 2018 and last revised November 9, 2018; and

WHEREAS, the Town Board has also reviewed the comments of the Town's designated engineers, MJ Engineering and Land Surveying, PC, and others; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board hereby finds that the site plan and proposed mitigative actions will avoid or minimize adverse environmental impacts to the extent practicable, adopts a negative declaration under SEQRA, and approves Regeneron's major site plan application, subject to the following:

1. Regeneron address any remaining technical comments from the Town's designated engineer and the Town Planning and Zoning Department.
2. All remaining fees and escrow are paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS), as detailed in the GEIS fee statement provided by the Town, prior to issuance of building permit.
3. The applicant shall establish an escrow account to cover the costs of any necessary third party inspection services as determined by the Town Planning and Zoning Department prior to issuance of building permit;
4. All storm water pollution prevention permits will be obtained prior to site work and regularly scheduled required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.
5. Prior to issuance of building permit, Regeneron submit a lighting plan for review by the Town Department of Planning and Zoning.
6. Submission to the Town of an approved Stormwater Pollution Prevention Plan (SWPPP);
7. All storm water pollution prevention permits will be obtained prior to site work and regularly scheduled required inspections will be performed during the permit term by the

design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.

8. Prior to obtaining a building permit, Regeneron shall obtain approval of the Town Zoning Board of Appeals for an area variance for front yard setback.
9. **Prior to obtaining a building permit, Regeneron shall obtain all required approvals and or permits for the project.**

Supervisor Conway made the motion to amend the above resolution to now read:

9. **Prior to obtaining a building permit, Regeneron shall obtain all required approvals and or permits for the project**

The foregoing motion to amend the resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

The foregoing amended resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

224-2018 A Resolution to Approve the Amended Statement of Findings for Regeneron's New Manufacturing Facility on its Tempel Lane Campus

WHEREAS, the Town Board of the Town of East Greenbush has reviewed the draft Amended Statement of Findings prepared pursuant to the State Environmental Quality Review Act ("SEQRA") for Regeneron's Tempel Lane Campus and related documentation and public input; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;
now, therefore, be it

RESOLVED, that the Town Board finds that the implementation of the Amended Statement of Findings will avoid or minimize adverse environmental impacts to the maximum extent practicable and hereby approves the Amended Statement of Findings, subject to the following:

1. Regeneron address any remaining technical comments from the Town's designated engineer and the Town's Planning and Zoning Department.
2. Regeneron be subject to any applicable conditions set forth in the Amended Statement of Findings.

The foregoing resolution was duly moved by Councilor Tierney and seconded by Councilor Matters and brought to a vote resulting as follows:

Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor G. Warner	VOTED: YES

225-2018 A Resolution to Approve Site Plan for Regeneron's New Manufacturing Facility on its Tempel Lane Campus (PB File # 15-20d)

WHEREAS, Regeneron, Inc. has submitted to the Town an application for major site plan approval for construction of Building 17 (manufacturing) at Regeneron's Tempel Lane Campus (SBL 144.-3-5.1); and

WHEREAS, the Town Board of the Town of East Greenbush has reviewed the application and related materials, including the site plan entitled "Regeneron Pharmaceuticals, Inc. Tempel Lane Campus, Building 17 Design Set" last revised October 25, 2018; and

WHEREAS, the Town Board has also reviewed the draft Amended Statement of Findings prepared pursuant to the State Environmental Quality Review Act ("SEQRA") for Regeneron's Tempel Lane Campus, which includes the proposed Building 17; and

WHEREAS, the Town Comptroller confirms that this resolution has no material impact on the Town's finances;

now, therefore, be it

RESOLVED, that the Town Board hereby approves Regeneron's major site plan application, subject to the following:

1. Regeneron address any remaining technical comments from the Town's designated engineer and Town Planning and Zoning Department.
2. Implementation of a traffic monitoring program, as outlined in the March 2018 Traffic Impact Study (TIS) prepared by CHA, Consulting and updated July 27, 2018. This would include bi-annual traffic counts at the site to confirm the trip generation after each phase of development. In addition to the Phase 1 development (Warehouse) required mitigation, the intersection that is noted to be monitored in the future for traffic signal installation for Building 17 ("Phase 2"), NY Route 151 & Tempel Lane, would also be included in the traffic monitoring program to determine if they meet signal warrant criteria.
3. All remaining fees and escrow are paid to the Town, including land development mitigation fees required in connection with the Western East Greenbush Generic Environmental Impact Statement (GEIS) as detailed in the GEIS fee statement provided by the Town prior to commencing construction.
4. Prior to issuance of a building permit, Regeneron shall establish an escrow account to cover the costs of any necessary third party inspection services as determined by the Town Planning and Zoning Department prior to issuance of building permit;
5. The property owner shall enter into a Stormwater Facility Maintenance Agreement with the Town to ensure proper maintenance of all stormwater facilities in perpetuity prior to issuance of a Certificate of Occupancy or, in the alternative, submit documentation to the Town of coverage under the NYSDEC multi-sector general permit.
6. Prior to issuance of a building permit, providing a letter to the Town Planning and Zoning Department from the Clinton Heights Fire Department as to its approval of the proposed site plan; and
7. Submission to the Town of an approved Stormwater Pollution Prevention Plan (SWPPP);

8. All storm water pollution prevention permits will be obtained prior to site work and regularly scheduled required inspections will be performed during the permit term by the design engineer or other qualified individual in accordance with the GP-0-15-002, the approved Storm Water Pollution Prevention Plan, and the Town's Comprehensive Zoning Law.
9. That, prior to issuance of a building permit, Regeneron provide to the Town a site engineering report describing the design, installation, and operation of any onsite conveyance facilities necessary in connection with this site plan approval;
10. Roofing material on Building 17 shall be of a dark gray, brown, or earth tone color, subject to the approval of the Town's Planning and Zoning Department prior to constructing the roof.
11. Prior to obtaining a Department of Public Works Utility Permit for connection to the Town's sanitary sewer system, Regeneron shall provide the Town with funds for the improvements to the 3rd Avenue and Barracks Road pump stations identified in the engineering reports discussed in the Amended Findings Statement, as well as any new pump stations deemed necessary by the Town's designated engineer at Regeneron's expense and subject to the approval of the Town's designated engineer.
12. Prior to the installation of new and/or upgraded Town sanitary sewer pump stations Regeneron shall provide facilities and operational plans that mitigate projected peak flows from Building 17 by use and/or implementation of flow control and equalization devices for the discharge of all wastewater from Building 17
13. A waiver shall be granted from the Town's Comprehensive Zoning Law requirement of a 25-foot buffer from wetlands, in as much as Regeneron has undertaken steps to ensure that there are no adverse impacts to wetlands, subject to the following; Regeneron shall take steps to ensure that snow storage shall not infringe on the areas of the site in which wetland buffer waivers have been granted, subject to Planning and Zoning Department approval.
14. Regeneron shall obtain a Department of Public Works Utility Permit, as determined by the Commissioner of Public Works, for any work involving connection to the Town's sanitary and/or water supply systems.
15. Regeneron shall obtain a NYSDOT highway work permit for any work in the NYS right-of-way along 3rd Avenue Extension.
16. Regeneron be subject to any applicable conditions set forth in the Amended Statement of Findings.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Warner and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: NO
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

226-2018 A Resolution Authorizing the Supervisor to Enter Into an Inter-Municipal Agreement with the Towns of Brunswick and North Greenbush for the Purpose of Providing Building-Inspection Services Between the Parties Under Special Circumstances

WHEREAS, special circumstances involving respective building-department personnel of the towns of Brunswick, East Greenbush, and North Greenbush, including, but not necessarily limited to, conflicts of interest relative to their respective positions as town officers or employees, may, on presumably limited occasions, arise; and

WHEREAS, such special circumstances should necessarily compel such town officers or employees to recuse themselves from performing their duties in accordance with generally accepted ethical standards prescribed under article 18 of the New York General Municipal Law (referred to hereinafter as the “Law”); and

WHEREAS, the foregoing towns, via their respective town-board members, have heretofore expressed intent to collectively enter into an inter-municipal agreement, whose provisions would be generally consistent with those outlined in the letter dated September 5, 2018 (a copy of which is attached hereto and made a part hereof) in order to provide one another with building-inspection services, on a reciprocating basis, in the event that town officers or employees of any of such towns are compelled to recuse themselves pursuant to the Law (referred to hereinafter as the “Agreement”); and

WHEREAS, the Town Comptroller has confirmed that none of the provisions of this resolution will have a material impact on the town’s finances;
now, therefore; be it

RESOLVED, that The Supervisor of the Town of East Greenbush be, and the same hereby is, authorized to enter into the Agreement with the towns of Brunswick and North Greenbush, subject to approval as to form by the Attorney to the Town of East Greenbush.

Supervisor Conway made the motion to table the foregoing resolution and was seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

227-2018 A Resolution to Authorize the Supervisor to Sign a New Contract with Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush

WHEREAS, the Town Board of the Town of East Greenbush, County of Rensselaer, State of New York, is in receipt of a Proposed Police Contract for the years 2019, 2020, and 2021; and

WHEREAS, the Town Board recognizes the outstanding work of the East Greenbush police force and believes it to be imperative that our unionized employees always have a fair and current contract in place; and

WHEREAS, the Town Comptroller confirms that the proposed salary increase for 2019 has been included in the 2019 Town Budget;
now, therefore, be it

RESOLVED, that the Town Board does hereby enter into the Contract with Council 82 AFSCME, AFL-CIO, Local 1571 – East Greenbush with all the terms and conditions agreed by the parties;

and be it further

RESOLVED, that the Town Board does hereby authorize the Supervisor to enter into and sign the aforesaid Contract by and on behalf of the Town Board.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Warner and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

228-2018 A Resolution Recognizing November as “Adoption Awareness Month” and November 17, 2018 as “Adoption Awareness Day”

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of November 14, 2018 and was subsequently presented to the Town Board on November 16, 2018; and

WHEREAS, each year, November is recognized as National Adoption Awareness Month. While all adoption-related issues are important, National Adoption Month is about spreading awareness. It is a month to encourage others to learn about adoption, and to acknowledge the people in this country whose lives have been impacted by adoption. The mission of National Adoption Month is to celebrate the families who have grown through adoption, and to recognize the many children who are still waiting for forever families; and

WHEREAS, in the United States, the first major adoption related effort occurred in 1976 in the state of Massachusetts. Then Governor Mike Dukakis proclaimed the first week of November “Adoption Week,” to promote the need for more adoptive families to care for the large number of children in the foster care system. In 1984 President Gerald R. Ford made the Adoption Week a national event; and

WHEREAS, by 1998 the week had become so widely recognized there were too many events to fit into seven days. President Bill Clinton extended the week-long event into National Adoption Awareness Month, which is what we celebrate today; and

WHEREAS, National Adoption Awareness Day also occurs during National Adoption Awareness Month. Typically held on a Saturday, National Adoption Awareness Day is observed across the country in court hearings, where thousands of adoptions are finalized simultaneously;

WHEREAS, there is an estimated 117,000 children in the United States awaiting in foster care for an adoptive family; and

WHEREAS, the average wait is 3 years for a child in foster care to be adopted; and

WHEREAS, more than 20,000 children are out of the foster care system every year with no family or permanent home;

now, therefore, be it

RESOLVED, the Town of East Greenbush wishes to support National Adoption Awareness Month by honoring families that have grown through adoption, recognizing the hundreds of thousands of children waiting for permanent families, by spreading awareness of adoption issues, and advocating for the wellbeing and future of children in foster care;
and be it further

RESOLVED, that the Town Board declares November to be Adoption Awareness Month and November 17, 2018 as Adoption Awareness Day;

This resolution was duly moved by Councilor Warner and seconded by Councilor Tierney and brought to a vote as follows:

Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

229-2018 A Resolution to Authorize a Budget Transfer to Snow Removal Budget Line

WHEREAS, this resolution was not able to be submitted in time to be considered on the regularly scheduled pre-board meeting of November 14, 2018 and was subsequently presented to the Town Board on November 16, 2018; and

WHEREAS, the Town of East Greenbush 2018 Final Budget reflected an amount of \$108,000.00 in Highway Line 5142.4.2, Snow Removal CE (Salt); and

WHEREAS, Resolution 189-2018 amended Highway Line 5142.4.2, Snow Removal CE (Salt); to reflect an amount of \$128,000.00; and

WHEREAS, expenditures in subject budget line for 2018 year to date have met the amended amount budgeted due to extreme weather; and

WHEREAS, it is critical for the Town to plow and salt highways during the months of November and December 2018; and

WHEREAS, that the Commissioner of Public Works, estimates that an additional \$50,000.00 will be needed in Highway Line 5142.4.2, Snow Removal CE (Salt) due to operational requirements between now and the end of the budget year; and

WHEREAS, the Town Comptroller believes at this time that this resolution will have a \$50,000 material impact on the Town's finances;
now, therefore, be it

RESOLVED, that the 2018 Final Budget for the Town of East Greenbush is amended as follows:

Fund	As Reads	Amended to Read
DA-917 – Highway Fund	\$349,829.00	\$299,829.00
51424.02.04 Snow Removal CE (Salt)	\$128,000.00	\$178,000.00

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Tierney and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor G. Warner	VOTED: YES

ADJOURNMENT

Motion to adjourn by Supervisor Conway at 8:10 seconded by Councilor Warner and brought to a vote as follows:

Supervisor J. Conway	VOTED: YES
Councilor G. Warner	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES